

**LYNCHBURG CITY COUNCIL**  
**Agenda Item Summary**

MEETING DATE: **September 12, 2006**

AGENDA ITEM NO.: 20

CONSENT:

REGULAR: **X**

CLOSED SESSION:  
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Public Street Dedication and Naming Requests – “Badcock Place” in the George C. Walker, Jr., and William Walker Subdivision, off Atlanta Avenue**

RECOMMENDATION: Approval of resolution to approve the public street dedication and naming requests

SUMMARY: George C. Walker, Jr., and William Walker, represented by Thomas C. Brooks, Sr., Acres of Virginia, Inc., are requesting to dedicate 0.158 acre for right-of-way for the proposed public street to be named “Badcock Place,” located on the north side of Atlanta Avenue in the proposed George C. Walker, Jr., and William Walker Subdivision. The proposed street will serve as a connection from Atlanta Avenue to the Sam’s Club/Wal-Mart commercial complex and other businesses to provide for better traffic circulation and internal vehicular circulation within these businesses.

PRIOR ACTION(S):

August 9, 2006: Planning Division recommended approval  
Planning Commission recommended approval (5-0 with one absent, Worthington)

FISCAL IMPACT: N/A

CONTACT(S):

Tom Martin /455-3909  
Annette Chenault /455-3894

ATTACHMENT(S):

- Resolution
- PC Report
- PC Minutes
- Subdivision Plat
- Vicinity Map

REVIEWED BY: lkp

## RESOLUTION

A RESOLUTION APPROVING THE DEDICATION OF A PUBLIC STREET AND NAMING THE NEW STREET.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the dedication of a new public street to be constructed in compliance with a plat entitled "Plat Showing Parcels A & B Property of George C. Walker, Jr., and William Walker," made by Acres of Virginia, Inc., dated June 29, 2006, be, and the same is hereby approved and accepted, contingent upon filing a properly executed subdivision plat in the Clerk's Office of the Circuit Court for the City of Lynchburg, the filing of approved street and utility plans, filing the necessary construction bonds with the City, and construction of the street consistent with the above-referenced plat in accordance with City standards.

BE IT FURTHER RESOLVED, that the name "Badcock Place" is hereby approved as the name for the new public street.

Adopted:

Certified:

\_\_\_\_\_  
Clerk of Council

116L

THE DEPARTMENT of COMMUNITY DEVELOPMENT  
City Hall, Lynchburg, VA 24504 434.455.3900

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To: Planning Commission  
From: Planning Division  
Date: August 9, 2006  
RE: **PUBLIC STREET DEDICATION AND NAMING REQUESTS--“BADCOCK PLACE” IN THE  
GEORGE C. WALKER, JR., AND WILLIAM WALKER SUBDIVISION, OFF ATLANTA AVENUE**

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**I. APPLICANT**

**Property Owners:** George C. Walker, Jr., and William Walker, 3211 Old Forest Road, Lynchburg, VA 24501-2325  
**Representative:** Thomas C. Brooks, Sr., Acres of Virginia, Inc., 404 Clay Street, Lynchburg, VA 24504

**II. LOCATION**

The subject property is a tract of land containing 1.669 acres located on the north side of Atlanta Avenue about 310 feet west of Wards Road.

**III. PURPOSE**

The purpose of the request is to dedicate 0.158 acre for right-of-way for the proposed public street to be named “Badcock Place” located on the north side of Atlanta Avenue.

**IV. SUMMARY**

- Request agrees with the Subdivision Ordinance requirements for dedicating public rights-of-way in an existing B-5 “Conditional,” General Business District.
- Request agrees with the Zoning Ordinance requirements for rights-of-way dedications.
- Request complies with City Code Section 35.105 requirements that “...all streets dedicated or private...may be assigned a name provided that a name assignment has been requested by the property owner on said street, and provided further that the Planning Commission deems the petitioned street of sufficient significance to warrant naming.”
- Request complies with City Code Section 35.111 requirement that states the “proposed street name will be reviewed by the Technical Review Committee, Planning Commission and City Council, with the final decision resting with Council.”

**The Planning Division recommends approval of the public street dedication and naming requests.**

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**V. FINDINGS OF FACT**

1. **Background.** Thomas C. Brooks, Sr., Acres, Inc. is requesting to dedicate 0.158 acre for right-of-way for the proposed public street to be named “Badcock Place” located on the north side of Atlanta Avenue. “Badcock Place,” with a variable width right-of-way, would extend from Atlanta Avenue in a northeasterly direction for approximately 160 feet to terminate at property owned by Wal-Mart Stores, Inc.
2. **Zoning.** The subject property is zoned B-5, “Conditional,” General Business District.
3. **Waivers.** No waivers from the Subdivision Ordinance will be needed for the street dedication and naming requests.
4. **Proposed Use of Property.** The new street will serve as a connection from Atlanta Avenue to the Sam’s Club/Wal-Mart commercial complex and other businesses to provide for better traffic circulation and internal vehicular circulation within these businesses.
5. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed a preliminary plat for the proposed “Plat Showing Parcels ‘A’ and ‘B’ Property of George C. Walker and William Walker” on July 18, 2006. The TRC had the following comments of significance to the consideration of the street dedication and naming:

- “Road plans must be submitted separately to the Engineering Division for review and approval. Include any city utility changes on the road plans.”
- “Regarding the existing underground detention structure:
  - Whose detention structure is it?
  - Who is going to maintain it?
  - An easement will be needed for it.”

TRC Members Gerry Harter and Michael Thomas, the Emergency Communications Administrator and the Lynchburg Post Office Customer Services Manager reviewed the proposed public street dedication and naming requests on July 25, 2006 and July 27, 2006. They expressed no concerns with the proposed street name “Badcock Place” and no conflict with any existing street names.

## **VI. PLANNING DIVISION RECOMMENDED MOTION**

Based on the proceeding findings of fact, the Planning Commission recommends to City Council approval of the dedication of the public street to be named “Badcock Place” to be constructed in substantial compliance with the “Plat Showing Parcels “A” and “B” Property of George C. Walker, Jr., and William Walker,” by Acres of Virginia, Inc., dated June 29, 2006. The dedication of “Badcock Place” and its acceptance as a public street is contingent on George C. Walker, Jr., and William Walker filing a properly executed subdivision plat to be recorded among the land records in the Office of the Clerk of the Circuit Court; the filing of approved street and utility plans and the necessary construction bonds with the City; and the construction of the street in accordance with City standards. The failure to fully comply with these conditions shall render the City’s acceptance of “Badcock Place” as a public street null and void.

This matter is hereby offered for your consideration.

William T. Martin, AICP  
City Planner

pc: Mr. L. Kimball Payne, III, City Manager  
Mr. Walter C. Erwin, City Attorney  
Mr. R. Douglas DeJarnette, Fire Marshal  
Mr. J. Lee Newland, Director of Engineering  
Lt. Danny R. Marks, Lynchburg Police Department Field Operations Bureau  
Capt. Todd Swisher, Lynchburg Police Department North Division  
Capt. H. W. Duff, Jr. Lynchburg Police Department East Division  
Capt. Al Thomas, Lynchburg Police Department South Division  
Mr. Gerry L. Harter, Traffic Engineer  
Mr. Robert Drane, Building Commissioner  
Mr. Keith Wright, Zoning Official  
Mr. Robert S. Fowler, Zoning Official  
Ms. Annette M. Chenault, Planner II  
Ms. Nicole Gilkeson, Community Development Planner  
Mr. Thomas C. Brooks, Sr., Representative

## **VII. ATTACHMENTS**

1. Plat Showing Parcels ‘A’ and ‘B’ Property of George C. Walker, Jr., and William Walker by Acres of Virginia, Inc., dated June 29, 2006

MINUTES FROM THE AUGUST 9 PLANNING COMMISSION MEETING. THESE MINUTES HAVE BEEN REVIEWED BY BUT NOT APPROVED BY THE COMMISSION.

The purpose of the request is to dedicate 0.158 acre for right-of-way for the proposed public street to be named "Badcock Place" located on the north side of Atlanta Avenue.

After discussion Commissioner Flint made the following motion, which was seconded by Commissioner Oglesby and passed by the following vote:

"That the Planning Commission recommends to City Council approval of the dedication of the public street to be named "Badcock Place" to be constructed in substantial compliance with the "Plat Showing Parcels "A" and "B" Property of George C. Walker, Jr., and William Walker," by Acres of Virginia, Inc., dated June 29, 2006. The dedication of "Badcock Place" and its acceptance as a public street is contingent on George C. Walker, Jr., and William Walker filing a properly executed subdivision plat to be recorded among the land records in the Office of the Clerk of the Circuit Court; the filing of approved street and utility plans and the necessary construction bonds with the City; and the construction of the street in accordance with City standards. The failure to fully comply with these conditions shall render the City's acceptance of "Badcock Place" as a public street null and void."

AYES:	Barnes, Flint, Hamilton, Oglesby, Sale	5
NOES:		0
ABSTENTIONS:		0
ABSENT:	Worthington	1

***Acres of Virginia, Inc.***  
***Surveyors~Engineers~Planners & Soil Consultants***

To: ANNETTE CHENAULT  
CITY OF LYBGE

Date: JULY 25, 2006  
Project Name: WALKER/BADCOCK  
Project #: 06847

**We are sending you via:**

<input checked="" type="checkbox"/>	<b>Hand Delivery</b>
<input type="checkbox"/>	<b>UPS</b>

	<b>Your Pick-up</b>
	<b>FedEx</b>

**US Mail  
Courier**

☐ Fax # \_\_\_\_\_  
\_\_\_\_\_ Pages including Cover

**The following:**

	Letter
	Change Order
	Samples

	<b>Invoice</b>
	<b>Shop Drawings</b>
	<b>Other</b>

	<b>Specifications</b>
<input checked="" type="checkbox"/>	<b>Prints</b>

	<b>Computer Disk Plans</b>
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**Which is:**

<input type="checkbox"/>	<b>For Your Approval</b>
<input type="checkbox"/>	<b>For Your Information</b>
<input type="checkbox"/>	<b>FOR BIDS DUE</b>

<input checked="" type="checkbox"/>	<b>For Your Use</b>
<input type="checkbox"/>	<b>As Requested by</b>

### ☐ For Your Review and Comment

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**Description:**

No.	Date	Title
32	6-29-06	11" X 17" COPIES
		"Badcock Place"

**Remarks:**

ANNETTE,  
LET ME KNOW IF YOU DO NOT RECEIVE  
THE REQUESTED STREET NAME.

RECEIVED  
JUL 24 2006  
COMMUNITY PLANNING  
DEVELOPMENT

Signed: THANKS,  
TOMMY BROOKS, SR. cc: